

**RULES
OF
THE BOARD OF REGENTS
OF THE
STATE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF TENNESSEE
INSTITUTIONAL STUDENT DISCIPLINARY RULES**

**CHAPTER 0240-3-9
COLUMBIA STATE COMMUNITY COLLEGE
STUDENT DISCIPLINARY RULES**

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0240-3-9-.01 INSTITUTION POLICY STATEMENT.

- (1) College students are citizens of the State, local and national governments, and of the academic community, and are, therefore, expected to conduct themselves as law-abiding members of each community at all times. Admission to an institution of higher education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the Tennessee Board of Regents has authorized the President of the College to take such action as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment.
- (2) Pursuant to this authorization, the College has developed the following Regulations which are intended to govern student conduct on the campus. In addition, students are subject to all national, state and local laws and ordinances. If a student's violation of such laws or ordinances also adversely affects the institution's pursuit of its educational objectives, the institution may enforce its own regulations regardless of any proceedings instituted by other authorities. Conversely, violation of any section of these Regulations may subject a student to disciplinary measures by the institution whether or not such conduct is simultaneously violative of state, local or national laws.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261 effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed April 23, 1993; effective July 28, 1993.

0240-3-9-.02 DISCIPLINARY OFFENSES.

- (1) Generally, through appropriate due process procedures, institutional disciplinary measures shall be imposed for conduct which adversely affects the institution's pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community, or which endangers property or persons on institution or institution-controlled property.
- (2) Individual or organizational misconduct which is subject to disciplinary sanction shall include but not be limited to the following examples:
 - (a) Conduct dangerous to others. Any conduct which constitutes a serious danger to any person's health, safety or personal well-being, including any physical abuse or immediate threat of abuse;
 - (b) Hazing. Hazing means any intentional or reckless act in Tennessee on or off the property of any higher education institution by one (1) student acting alone or with others which is directed against any other student, that endangers the mental or physical health or safety of that student,

(Rule 0240-3-9-.02, continued)

or which induces or coerces a student to endanger such student's mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

- (c) Disorderly conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs other groups or individuals;
- (d) Obstruction of or interference with institutional activities or facilities. Any intentional interference with or obstruction of any institutional activity, program, event or facilities, including the following:
 - 1. Any unauthorized occupancy of institution or institutionally controlled facilities or blockage of access to or from such facilities.
 - 2. Interference with the right of any institution member or other authorized person to gain access to any institution or institutionally controlled activity, program, event or facilities.
 - 3. Any obstruction or delay of a campus security officer, fireman, or any institution official in the performance of his/her duty.
- (e) Misuse of or damage to property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to the institution including, but not limited to, fire alarm, fire equipment, elevators, telephones, institution keys, library materials, weight room equipment, computers, athletic equipment and/or safety devices; and any such act against a member of the institution community or a guest of the institution;
- (f) Theft, misappropriation, or unauthorized sale. Any act of theft, misappropriation, or unauthorized possession or sale of institutional property or any such act against a member of the institution community or a guest of the institution;
- (g) Misuse of documents or identification cards. Any forgery, alteration of or unauthorized use of institution documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the institution;
- (h) Firearms and other dangerous weapons. Any possession of or use of firearms or dangerous weapons of any kind;
- (i) Explosives, fireworks, and flammable materials. The unauthorized possession, ignition or detonation of any object or article which would cause damage by fire or other means to persons or property or possession of any substance which could be considered to be and used as fireworks;
- (j) Alcoholic beverages. The use and/or possession of alcoholic beverages on college owned or controlled property;
- (k) Drugs. The unlawful possession or use of any drug or controlled substance (including any stimulant, depressant, narcotic, or hallucinogenic drug or substance, or marijuana), or sale or distribution of any such drug or controlled substance.
- (l) Gambling. Gambling in any form;

(Rule 0240-3-9-.02, continued)

- (m) Financial irresponsibility. Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution or to a member of the institution community acting in an official capacity;
- (n) Unacceptable conduct in hearings. Any conduct at an institutional hearing involving contemptuous, disrespectful, or disorderly behavior, or the giving of false testimony or other evidence at any hearing.
- (o) Failure to cooperate with institutional officials. Failure to comply with directions of institutional officials acting in the performance of their duties;
- (p) Violation of general rules and regulations. Any violation of the general rules and regulations of the institution as published in an official institutional publication, including the intentional failure to perform any required action or the intentional performance of any prohibited action;
- (q) Attempts and aiding and abetting the commission of offenses. Any attempt to commit any of the foregoing offenses, or the aiding and abetting of the commission of any of the foregoing offenses (an "attempt" to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission);
- (r) Violations of state or federal laws. Any violation of state or federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference.
- (s) Violation of imposed disciplinary sanctions. Intentional or unintentional violation of a disciplinary sanction officially imposed by a College official or a constituted body including, but not limited to, sanctions contained herein.
- (t) Academic Dishonesty. A student may be guilty of academic dishonesty if:
 - 1. In connection with the taking of, or in contemplation of the taking of any examination, the student:
 - (i) Knowingly discovers or attempts to discover the contents of an examination before the contents are revealed by the instructor;
 - (ii) Obtains, uses, attempts to obtain or use supplies or attempts to supply to any person, any unauthorized material or device;
 - (iii) Attempts to use, supplies or attempts to supply to any person material or device dishonestly;
 - (iv) Willfully gives or receives any aid not authorized by the instructor; or
 - 2. Academic work is misrepresented as the product of a student's sole academic effort, for the purpose of affecting the student's grade, credit, or status in the college; or
 - 3. Sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments are used.
- (u) Harassment. Any form of harassment including, but not limited to, racial harassment, sexual harassment or stalking is prohibited.

(Rule 0240-3-9-.02, continued)

- (3) Disciplinary action may be taken against a student for violations of the foregoing regulations which occur on institutionally owned, leased, or otherwise controlled property, or which occur off-campus when the conduct impairs, interferes with or obstructs any institutional activity or the missions, processes and functions of the institution. In addition, disciplinary action may be taken on the basis of any conduct, on or off campus, which poses a substantial threat to persons or property within the institutional community.
- (4) For the purpose of these regulations, a "student" shall mean any person who is registered for study at the College for any academic period. A persons shall be considered a student during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period, and during any period while the student is under suspension from the institution.

Authority: T.C.A. §49-88-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed July 5, 1996; effective November 28, 1996. Amendment filed November 20, 1996; effective March 28, 1997. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed February 18, 1999; effective June 28, 1999. Amendment filed February 28, 2000; effective June 28, 2000. Amendment filed October 17, 2002; effective February 28, 2003.

0240-3-9-03 ACADEMIC AND CLASSROOM MISCONDUCT.

- (1) The instructor has the primary responsibility for control over classroom behavior and maintenance of academic integrity, and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct violative of the general rules and regulations of the institution. Extended or permanent exclusion from the classroom or further disciplinary action can be effected only through appropriate procedures of the institution.
- (2) Plagiarism, cheating and other forms of academic dishonesty are prohibited Students guilty of academic misconduct, either directly or indirectly through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed through the regular institutional procedures as a result of academic misconduct, the instructor has the authority to assign an F or zero for the exercise or examination, or to assign an F in the course.
- (3) If the student believes that he or she has been erroneously accused of academic misconduct, and if his or her final grade has been lowered as a result, the student may appeal the case through the appropriate institutional procedures.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983.

0240-3-9-.04 DISCIPLINARY SANCTIONS.

- (1) Upon a determination that a student or organization has violated any of the rules or regulations or has committed any disciplinary offense set forth in these Regulations, the following disciplinary sanctions may be imposed, either singly or in combination, by the appropriate institution officials.
- (2) Definition of Sanctions.

(Rule 0240-3-9-.04, continued)

- (a) Restitution. A student who has committed an offense against property may be required to reimburse the institution or other owner for damage to or misappropriation of such property. Any such payment in restitution shall be limited to actual cost of repair or replacement.
- (b) Warning. The appropriate institutional official may notify the student that continuation or repetition of specified conduct may be cause for other disciplinary action.
- (c) Reprimand. A written reprimand, or censure, may be given any student or organization whose conduct violates any part of these Regulations. Such a reprimand does not restrict the student in any way, but does have important consequences. It signifies to the student that he or she is in effect being given another chance to conduct himself or herself as a proper member of the institution Community, but that any further violation may result in more serious penalties.
- (d) Restriction. A restriction upon a student's or organization's privileges for a period of time may be imposed. This restriction may include, for example, denial of the right to represent the institution in any way, denial of use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges.
- (e) Probation. Continued enrollment of a student on probation may be conditioned upon adherence to these Regulations. Any student placed on probation will be notified of such in writing and will also be notified of the terms and length of the probation. Probation may include restrictions upon the extracurricular activities of a student. Any conduct in violation of these Regulations while on probationary status may result in the imposition of a more serious disciplinary sanction.
- (f) Suspension. If a student is suspended, he or she is separated from the institution for a stated period of time with conditions of readmission stated in the notice of suspension.
- (g) Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's readmission to the institution.
- (h) Interim or summary suspension. Through as a general rule, the status of a student accused of violations of these Regulations should not be altered until a final determination has been made in regard to the charges against him, summary suspension may be imposed upon a finding by the appropriate institutional official that the continued presence of the accused on campus constitutes an immediate threat to the physical safety and well-being of the accused, or of any other member of the institution community or its guests, destruction of property, or substantial disruption of classroom or other campus activities. In any case of destruction of property, or substantial disruption of classroom or others campus immediate suspension, the student shall be given an opportunity at the time of the decision or immediately thereafter to contest the suspension, and if there are disputed issues of fact or cause and effect, the student shall be provided a hearing on the suspension as soon as possible.
- (i) Service to the College. A student may be required to donate a specified number of service hours to the College, by way of performing reasonable tasks for the appropriate College office or official. This service shall be commensurate to the offense the student is guilty of violating (i.e., service to maintenance staff for defacing College property.
- (j) Special educational program. A student may be required to participate in any special educational programs relevant to the offense (i.e., alcohol education program for alcohol-related offense; conflict resolution program for violent misconduct, etc.), to attend special seminars or educational programs, or to prepare a project or report concerning a relevant topic.

(Rule 0240-3-9-.04, continued)

- (3) The President of the College is authorized, in his or her discretion, to subsequently convert any sanction imposed to a lesser sanction, or to rescind any previous sanction, in appropriate cases.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed February 28, 2000; effective June 28, 2000.

0240-3-9-.05 DISCIPLINARY PROCEDURES.

- (1) Preliminary Conference. Misconduct involving the violation of college regulations shall be reported to the Vice President for Student Services. The Vice President for Student Services shall call the accused student to a preliminary conference where the student shall be informed of the charges against him or her and apprised of his/her basic rights as stated in these rules. The Vice President shall investigate the validity of the alleged misconduct.
- (2) Summary Suspension. A student may be summarily suspended from the college if, in the judgment of college officials, the student's continued presence represents an immediate threat to himself, other students and/or college employees, or will result in the destruction of property or substantial disruption of campus activities. In any case of summary suspension the student shall be provided a hearing on the suspension as soon as possible.
- (3) If the results of the initial investigation by the Vice President for Student Services indicate the case merits further action, the student shall be afforded an opportunity to contest the charge(s) through procedures initiated by and coordinated with the Vice President for Student Services. The student shall be informed of the right to elect the procedure he/she wishes to pursue toward the disposition of a proposed action against him/her. The student shall indicate his/her selection in writing from the procedures listed below:
 - (a) Tennessee Uniform Administrative Procedures Act. All cases which may result in (i) suspension or expulsion of a student from the institution for disciplinary reasons, (ii) assignment of a grade which results in the grade of "F" in a course for academic misconduct, or (iii) revocation of registration of a student organization during the term of the registration are subject to the contested case provisions of the Tennessee Uniform Administrative Procedures Act and shall be processed in accordance with the contested case procedures adopted by the Board of Regents unless the student waives those procedures in writing and elects to have his or her case disposed of in accordance with college procedures established by these rules.
 - (b) Disposition by the Vice President for Student Services. In discipline cases other than academic dishonesty, a student may request that the Vice President for Student Services adjudicate the case. If such a decision is made, the following procedures apply:
 1. The Vice President for Student Services or designee shall inform the student, in person if possible, of the charges against him/her and proceed to gather information concerning the case including, but not limited to, interviews with all relevant parties (accused, accuser, and possible witnesses).
 2. The Vice President for Student Services shall review the evidence, determine whether there appears to have been a violation of the college regulations and, if so, decide upon a proper disciplinary sanction within five (5) class days. The student will be informed, in writing, of the specific disciplinary offenses and sanctions at this time.
 3. The accused student and the Vice President shall meet and discuss the Vice President's findings and recommended disciplinary sanction(s). The student shall be informed of his/her right to appeal the Vice President's decision.

(Rule 0240-3-9-.05, continued)

4. If the student disagrees with the Vice President for Student Services' disposition of the case, he/she may request a hearing by the Student Discipline Committee. The request must be made within three (3) class days, in writing, to the chairperson of the Student Discipline Committee.
- (c) Hearing by the Student Discipline Committee. A student may choose to have the case heard by the Student Discipline Committee. If such a hearing is initiated, the following procedures shall apply:
1. The Student Discipline Committee is a college standing committee composed of student, faculty, and student services representatives. The chairperson of the committee shall be a faculty member who shall preside at the meetings.
 2. The accused student shall be informed in writing of the date, time and place of the hearing not less than five (5) working days prior to the day of the hearing.
 3. All hearings shall be closed unless the student requests an open hearing in writing.
 4. The Vice President for Student Services or designee shall read the charges and present the results of the investigation.
 5. The student shall be given an opportunity to respond to the evidence against him/her. He/she shall have an opportunity to present his/her position, make such admissions, denials or explanations as he/she thinks appropriate and testify or present such other evidence as is available to him/her. The technical rules of evidence normally followed in civil and criminal trial shall not apply.
 6. The student may be accompanied by an advisor whose participation shall be limited to advising the student and shall not include representing the student.
 7. The student shall have the right to call witnesses in his/her behalf and the right to hear and question the witnesses against him/her.
 8. Members of the committee shall have the right to ask questions.
 9. All evidence upon which the decision is made shall be presented at the proceedings before the committee.
 10. After all the presentations of evidence and testimony, the committee shall retire to discuss the case and render a decision.
 11. The student shall be notified of the decision, in writing, within five (5) days of the hearing and shall be advised of his/her right to appeal the decision of the Student Discipline Committee to the President of the college.
- (4) Appeal Procedures
- (a) Appeal of decision of a hearing held pursuant to TUAPA. A student's right to appeal a decision resulting from a hearing held pursuant to the TUAPA shall be governed by the provisions of the Tennessee Uniform Administrative Procedures Act.
 - (b) Appeal of decision of the Vice President for Student Services. A student who wishes to challenge the disciplinary sanction(s) imposed by the Vice President must file an appeal, in

(Rule 0240-3-9-.05, continued)

writing, with the chairperson of the Student Discipline Committee within three (3) class days after sanction(s) are imposed.

1. The committee will consider the following in hearing the appeal:
 - (i) was the hearing process followed;
 - (ii) was the evidence in the case substantial enough to justify a decision against the student;
 - (iii) has new and substantial evidence been discovered to justify a new hearing;
 - (iv) was the sanction imposed by the Vice President in keeping with the gravity of the offense.
 2. The committee may affirm, or reverse in whole or in part, or remand the matter for a new hearing.
- (c) Appeal of Decision of Student Discipline Committee. A student may appeal a decision of the Student Discipline Committee to the President of the College. Such appeal must be filed within three (3) class days of receipt of the committee's decision.
- (5) Cases of alleged sexual assault. Regardless of the method chosen by the student for disposition of the disciplinary matter, in cases of alleged sexual assault, both the accused and the accuser shall be informed of the following:
- (a) Both the accuser and the accused are entitled to the same opportunity to have others present during a disciplinary proceeding; and both the accuser and the accused shall be informed of the outcome of any disciplinary proceeding involving allegations of sexual assault within five (5) days of the decision .

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed August 8, 1995; effective December 29, 1995. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed February 28, 2000; effective June 29, 2000. Amendment filed January 11, 2002; effective May 31, 2002.

0240-3-9-.06 MISCELLANEOUS.

- (1) Student Conduct and Allied Health Programs.
 - (a) Students at Columbia State Community College who have chosen to prepare for a career in one of the Allied Health programs have placed themselves into a relationship where there is a special concern relative to the possession or use of drugs or controlled substances. In these career fields there are major problems relative to employability, licensure, and professional ethics for anyone involved in the possession or use of controlled substances.
 - (b) In the event of such alleged misconduct by a student(s) in any allied health program, the following procedure may be used:
 1. If a student(s) enrolled in an allied health program is:

(Rule 0240-3-9-.06, continued)

- (i) arrested by duly authorized law enforcement officers and charged with unlawful possession or use of drugs or controlled substances, or the sale or distribution of any such drug or controlled substances; or
 - (ii) if there is other substantive evidence that a student enrolled in an allied health program is unlawfully in possession of or using any drug or controlled substance; then the program director shall inform the division chairperson and the dean of instruction in writing as soon as possible. Such written communication shall convey the specific nature of alleged involvement with drugs or controlled substances by the student, including any supportive facts or documentation: time, places, circumstances, witnesses or other persons who possess knowledge of the alleged student involvement.
- 2. The Dean shall evaluate the substance of such information presented and shall:
 - (i) arrange a conference with the student and the program director as soon as possible after having reviewed the report.
 - (ii) the student shall be informed of the alleged charges and shall be provided an opportunity to respond to such charges.
 - (iv) based upon the conference proceedings, the Dean shall recommend to the Vice President of Academic Services an appropriate action. Sanctions which may be recommended are listed under Disciplinary Sanctions in these rules and may be limited in applicability to the program status of the student.

The Vice President of Academic Services shall review the charges and proceedings and shall take such action as is deemed appropriate.

- (c) Any student charged with misconduct may be required to appear before the Vice President of Student Services or the College Discipline Committee. Such action may be in lieu of or in addition to action taken by the allied health program.
- (d) All cases which may result in suspension or expulsion of a student from the College, or an Allied Health program, for disciplinary reasons are subject to the contested case provisions of the Tennessee Uniform Administrative Procedures Act and shall be processed in accordance with the uniform contested case procedures adopted by the Board of Regents unless the student waives those procedures in writing and elects to have his or her case disposed of in accordance with College procedures established by these rules. The Vice President of Student Services shall provide information to students relative to the uniform contested case procedures.
- (e) In each case, every effort will be made to assure that appropriate due process procedures are followed. The final on-campus appeal of any action is to the College President.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed August 8, 1995; effective December 29, 1995.

0240-3-9-.07 TRAFFIC AND PARKING REGULATIONS.

(1) General

- (a) Rules of courtesy and safety require that all drivers pull into their parking spaces, leave vehicles between the painted lines and refrain from blocking entrances, exits, or walkways.

(Rule 0240-3-9-.07, continued)

- (b) Valuables and keys should not be left in vehicles.
 - (c) Pedestrian traffic has right of way.
 - (d) Campus speed limit is 20 m.p.h. or less according to rules of courtesy and safety.
 - (e) Campus vehicle accidents may be investigated by local police. In case of accident, notify Campus Security and/or the Vice President of Student Services.
- (2) Designated Parking
- (a) Visitors
 - 1. Visitors may park in marked areas in front of the Administration Building.
 - 2. Visitor parking permits should be secured from the Student Services Office for conferences and extended visits.
 - (b) Faculty and Staff. Faculty and staff may park in the designated lots immediately in front of the Administration Building, south of the Clement Humanities Building, west of the Student Center, along the street across from the gymnasium, and in front of the Health Science Building.
 - (c) Students. Students may park in either of four large lots north of the Administration Building, west of the Library, west of the Jones Student Center, and south of the Clement Building. Cycles should be parked in designated spaces at various locations on campus.
 - (d) Disabled. Spaces for persons with disabilities are provided at several locations on campus.
- (3) Violations and Fines.
- (a) All fines are payable in business office.
 - (b) All appeals are made to the Vice President of Student Services within five (5) working days.
 - (c) Fines assessed for violations:
 - 1. Parking in:
 - (i) no parking areas.....\$ 25.00
 - (ii) no parking areas.....\$ 15.00
 - (iii) visitor parking areas.....\$ 10.00
 - (iv) faculty/staff parking area.....\$ 10.00
 - (v) disabled student parking area.....\$100.00
 - (d) All unpaid tickets double in cost at the close of each semester.

Authority: T.C.A. §49-8-203. **Administrative History:** New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed April 23, 1993; effective

(Rule 0240-3-9-.07, continued)

July 28, 1993. Amendment filed August 8, 1995; effective December 29, 1995. Amendment filed November 26, 1997; effective March 30, 1998. Amendment filed February 28, 2000; effective June 28, 2000.

0240-3-9-.08 REGISTRATION OF MOTOR VEHICLES.

- (1) All vehicles driven on campus by, or on behalf of, students, faculty or staff must be registered in the Office of Student Services. The driver of a vehicle not properly registered with a current permit, may be subject to a fine. Drivers should notify the Student Services office of special circumstances prior to receiving a ticket.
- (2) A campus access fee will be charged per semester to all students. Each student will be given one parking permit at no charge. Additional or replacement permits may be secured from Student Services (SC-103) for a fee.
- (3) Parking permits are to be hung on the inside rear view mirror with the number visible from outside the vehicle.

Authority: T.C.A. §49-8-203. **Administrative History:** *New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed April 23, 1993; effective July 28, 1993.*